

made by subsection (a), amending this section, in connection with transportation of baggage and household effects provided the member before Nov. 8, 1985.

#### ALLOWANCES FOR LABOR IN CONNECTION WITH TRANSPORTATION OF MEMBERS' BAGGAGE AND EFFECTS; REPORT TO CONGRESS

Section 614(d) of Pub. L. 99-145 required Secretary of Defense to submit a report to Congress not later than Sept. 30, 1988, regarding the operation of any program carried out by the military departments under which payment of a monetary allowance is made to a member who provides all or a part of the labor in connection with the transportation of the baggage and household effects of the member and to include recommendations for legislative action the Secretary considers appropriate.

#### MONETARY ALLOWANCE IN LIEU OF TRANSPORTATION OF HOUSEHOLD EFFECTS

Pub. L. 94-212, title VII, §747, Feb. 9, 1976, 90 Stat. 176, which provided that appropriations available for transportation of household goods of members of armed forces under subsec. (b) of this section shall be available as a monetary allowance for such transportation, payable in advance under regulations of the Secretary in an amount which would provide savings to the Government when compared with the total costs which would otherwise have been incurred under subsec. (b) of this section, was repealed and reenacted as subsec. (k) of this section by Pub. L. 97-295, §§3(4), 6(b), Oct. 12, 1982, 96 Stat. 1303, 1314. Subsec. (k) was subsequently redesignated (j) and repealed.

#### FUNERAL TRANSPORTATION AND LIVING EXPENSE BENEFITS; VIETNAM CONFLICT

Pub. L. 93-257, Mar. 29, 1974, 88 Stat. 53, entitled the "Funeral Transportation and Living Expense Benefits Act of 1974", authorized the Secretary of Defense to provide funeral transportation and living expenses benefits for the family of any deceased member of the Armed Forces who died while classified as a prisoner of war or as missing in action during the Vietnam conflict and whose remains were returned to the United States after January 27, 1973, prior to repeal by Pub. L. 107-107, div. A, title VI, §638(b)(3), Dec. 28, 2001, 115 Stat. 1148. See section 411f(d) of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 403, 406a, 406b, 406c, 407, 409, 411, 420, 427, 1003 of this title; title 5 section 4109; title 10 sections 1174a, 1175, 2013, 2634; title 14 section 512.

#### § 406a. Travel and transportation allowances: authorized for travel performed under orders that are canceled, revoked, or modified

Under uniform regulations prescribed by the Secretaries concerned, a member of a uniformed service is entitled to travel and transportation allowances under section 404 of this title, and to transportation of his dependents, baggage, and household effects under sections 406 and 409 of this title, if otherwise qualified, for travel performed before the effective date of orders that direct him to make a change of station and that are later—

- (1) canceled, revoked, or modified to direct him to return to the station from which he was being transferred; or
- (2) modified to direct him to make a different change of station.

(Added Pub. L. 88-238, §1(1), Dec. 23, 1963, 77 Stat. 475.)

#### EFFECTIVE DATE; LIMITATIONS

Section 2 of Pub. L. 88-238 provided that: "This Act [enacting this section] becomes effective on October 1, 1949. Any member or former member of the uniformed services who, after September 30, 1949, but before the date of enactment of this Act [Dec. 23, 1963], has not been paid, or has repaid the United States, an amount to which he otherwise would have been entitled had section 1 of this Act [enacting this section] been in effect during that period is entitled to be paid or repaid that amount, if the payment or repayment is otherwise proper and he applies for the payment or repayment within one year after the date of enactment of this Act."

#### APPROPRIATIONS

Section 3 of Pub. L. 88-238 provided that: "Any appropriations available to the departments concerned for the pay and allowances of members of the uniformed services are available for payments under this Act [enacting this section]."

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 407, 420 of this title.

#### § 406b. Travel and transportation allowances: members of the uniformed services attached to a ship overhauling or inactivating

(a) Under regulations prescribed by the Secretary concerned, a member of the uniformed services who is on permanent duty aboard a ship which is being overhauled or inactivated away from its home port and whose dependents are residing at the home port of the ship is entitled to transportation, transportation in kind, reimbursement for personally procured transportation, or an allowance for transportation as provided in section 404(d)(3) of this title for round-trip travel from the port of overhaul or inactivation to the home port on or after the thirty-first calendar day, and every sixtieth calendar day after the thirty-first calendar day after the date on which the ship enters the overhaul or inactivation port or after the date on which the member becomes permanently attached to the ship, whichever date is later. However, in no event shall the amount of reimbursement for personally procured transportation or allowance for transportation exceed the cost of Government-procured commercial round-trip air travel.

(b) Transportation in kind, reimbursement for personally procured transportation, or a monetary allowance in place of the cost of transportation as provided in section 404(d)(1) of this title may be provided, in lieu of the member's entitlement to transportation, for the member's dependents from the location that was the home port of the ship before commencement of overhaul or inactivation to the port of overhaul or inactivation. The total reimbursement for transportation for the member's dependents may not exceed the cost of Government-procured commercial round-trip travel.

(c) In any case in which a member of the uniformed services is assigned to permanent duty aboard a ship that undergoes a change of home port to the overhaul or inactivation port, the dependents of the member may be provided transportation allowances prescribed in sub-